

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA

v.

CHRISTOPHER JORDAN

Case No. 19-cr-00669

Hon. Edmond E. Chang

**DEFENDANT CHRISTOPHER JORDAN'S UNOPPOSED MOTION FOR LEAVE TO
FILE UNDER SEAL AN EXHIBIT IN SUPPORT OF HIS RULE 33 MOTION
AND TO FILE A BRIEF IN EXCESS OF 15 PAGES**

Defendant Christopher Jordan, by and through his undersigned counsel, respectfully moves this Court for leave to file under seal one exhibit in support of the Memorandum of Law in Support of his Motion for a New Trial Under Rule 33 (the "Rule 33 Motion"), and to file a brief in excess of 15 pages, stating as follows in support thereof:

1. The Declaration of Anne M. Evans ("Evans Declaration") to be filed in support of Mr. Jordan's Memorandum of Law in Support of his Motion for a New Trial Under Rule 33 is accompanied by Exhibit J, which contains an interview report on FBI Form FD-302 summarizing FBI agents' notes of an interview of Mr. Jordan on November 5, 2018. This report should be filed under seal because it: (i) contains sensitive personal information regarding Mr. Jordan; (ii) was not received into evidence at trial; and (iii) ordinarily would not be made available to testifying witnesses and could potentially influence a witness's trial testimony if Mr. Jordan were to be granted a new trial.

2. In accordance with Local Rule 26.2(c), Mr. Jordan will provisionally file under seal a copy of the aforementioned exhibit in support of the Rule 33 Motion, and at the same time will file public-record versions of the Rule 33 Motion, supporting declaration, and accompanying

exhibits, excluding the aforementioned exhibit. To avoid any doubt, Mr. Jordan does not seek to file the underlying motion itself under seal.

3. Additionally, Mr. Jordan has attempted to be concise, but was not able to confine his Rule 33 Motion to under 15 pages, due to the voluminous pretrial and trial record and the complexity of the issues and evidence. Mr. Jordan's Rule 33 Motion is 22.5 pages.

4. Pursuant to this Court's Individual Procedures for Motion Practice, counsel for Mr. Jordan conferred with counsel for the government about this motion via email on January 30, 2023. Counsel for the government indicated that it has no objection to this motion.

WHEREFORE, for the reasons stated above, Mr. Jordan respectfully asks that the Court allow Mr. Jordan to file the aforementioned exhibit under seal, as well as file a brief in excess of 15 pages.

Dated: January 30, 2023
New York, New York

Respectfully Submitted,

/s/ James J. Benjamin, Jr.

James J. Benjamin, Jr.

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